LOCKE LORD BISSELL & LIDDELL LLP
Peter Roan (137379)
proan@lockelord.com
Ronald D. Kurtz (195918)
rkurtz@lockelord.com
300 South Grand Avenue, Suite 2600
Los Angeles, California 90071
Telephone: 213-485-1500
Facsimile: 213-485-1200

OSBORN MACHLER
Simeon J. Osborn (Pro Hac Vice Application Pending)
sosborn@osbornmachler.com
2125 Fifth Avenue
Seattle Washington 98121
Telephone: 206-441-4110
Facsimile: 206-441-4220

Attorneys for Plaintiff
ALEXANDER PRESNIAKOV

FILED
2009 NOV -3 PM 2:03
CLERK U.S. DISTRICT COURT
CENTRAL DIST. OF CALIF.
LOS ANGELES
BY

Locke Lord Bissell & Liddell LLP
300 South Grand Avenue, Suite 2600
Los Angeles, CA 90071

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALEXANDER PRESNIAKOV, a single man, Plaintiff, vs. ANN O. HILTON, a/k/a ANN ONION, a/k/a ANN WELBOURNE, and DOES 1 through 10, inclusive, Defendants.	CASE NO. CV09 08037MRP VBKx **COMPLAINT FOR DAMAGES FOR MONIES DUE, FOR BREACH OF CONTRACT** **DEMAND FOR JURY TRIAL**

Plaintiff Alexander Presniakov, by and through his counsel of record, upon personal knowledge as to his own acts and beliefs, and upon information and belief as to all matters based upon the investigation of counsel, alleges as follows.

/ / /

Locke Lord Bissell & Liddell LLP
300 South Grand Avenue, Suite 2600
Los Angeles, CA, 90071

PARTIES

1. Plaintiff Alexander Presniakov is a single man, and at all times material hereto, was a resident of California.

2. Defendant Ann O. Hilton, a/k/a Ann Onion, a/k/a Ann Welbourne (hereafter referred to as "Ann Hilton") is, upon information and belief, currently a resident of Las Vegas, Nevada.

3. Defendants Does 1 through 10 were responsible for and participated in the wrongful acts alleged herein, but he identifies of Defendants Does 1 through 10, inclusive, are currently unknown to Plaintiff, and they are

JURISDICTION AND VENUE

3. Jurisdiction. This Court has subject matter jurisdiction to decide this case pursuant to 28 U.S.C. § 1332, because there is complete diversity between the parties and the matter in controversy exceeds $75,000 exclusive of interests and costs.

4. Venue. Venue is proper in this District because the plaintiff is a resident of Ventura County, California, and the art that is the subject matter of this lawsuit was shipped from California. All terms were negotiated and agreed on in California.

FACTS

5. Plaintiff Alexander Presniakov is a world-renowned artist residing in Ventura County, California.

6. Doug Burch, an acquaintance of plaintiff Presniakov, offered to act as the agent for plaintiff and persuaded plaintiff to use him in that capacity because he stated he was friends with the Hilton family and could get Ann Hilton to buy some of the plaintiff's art. Burch requested and received from plaintiff Presniakov fifteen thousand dollars ($15,000.00) up-front for "expenses" or advances on defendant Burch's fee. Acting as plaintiff Presniakov's agent, Doug Burch contacted defendant Ann Hilton and arranged for the sale of several pieces of art for an agreed-upon price of Ten Million Dollars ($10,000,000).

/ / /

Locke Lord Bissell & Liddell LLP
300 South Grand Avenue, Suite 2600
Los Angeles, CA, 90071

7. At defendant Ann Hilton's request (as arranged by defendant Doug Burch), plaintiff Alexander Presniakov personally delivered the artwork to the Theresa L. Johnson Insurance Agency in Las Vegas, Nevada, in October of 2008. Upon receipt of the artwork and an appraisal verifying the value, defendant Ann Hilton was obligated to pay the agreed-upon price of Ten Million Dollars ($10,000,000).

8. Several drafts of a contract for sale of the subject artwork were exchanged, and the final signed contract was to be given to plaintiff Presniakov when he delivered the artwork to the Johnson Insurance Agency.

9. Plaintiff Presniakov personally delivered the artwork, but defendant Ann Hilton did not show up with the contract at the time the artwork was delivered. Two hours after plaintiff Presniakov left the Johnson Insurance Agency, defendant Ann Hilton arrived with a truck and took possession of the artwork.

10. Despite several demands, defendant Ann Hilton has never paid for the artwork.

11. In June of 2009, defendant Ann Hilton once again promised to pay for the artwork, but, to date, has failed to pay.

CLAIMS FOR RELIEF

12. Plaintiffs re-allege the previous allegations as if set forth in full.

13. Defendant Ann Hilton breached their oral contract with plaintiff Presniakov for the purchase of the paintings.

15. The plaintiff is entitled to the full price of $10 million as agreed upon, in addition to incidental damages as allowed by law.

16. In the alternative, the plaintiff is entitled to the return of the art, plus any reasonable charges allowed by law that give the plaintiff the benefit of his bargain.

/ / /

/ / /

/ / /

WHEREFORE, the plaintiff prays for relief as follows:

A. For a money judgment for $10 million;

B. For pre and post-judgment interest;

C. For attorney's fees as allowed by law;

D. For return of the art together with any damages according to proof; and

E. For such other relief as the court deems equitable.

Dated: November 3, 2009

LOCKE LORD BISSELL & LIDDELL LLP

By: [signature]

Peter Roan
Ronald D. Kurtz
Attorneys for Plaintiff
ALEXANDER PRESNIAKOV

Locke Lord Bissell & Liddell LLP
300 South Grand Avenue, Suite 2600
Los Angeles, CA, 90071

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

NOTICE OF ASSIGNMENT TO UNITED STATES MAGISTRATE JUDGE FOR DISCOVERY

This case has been assigned to District Judge Mariana P. Pfaelzer and the assigned discovery Magistrate Judge is Victor B. Kenton.

The case number on all documents filed with the Court should read as follows:

CV09- 8037 MRP (VBKx)

Pursuant to General Order 05-07 of the United States District Court for the Central District of California, the Magistrate Judge has been designated to hear discovery related motions.

The United States District Judge assigned to this case will review all filed discovery motions and thereafter, on a case-by-case or motion-by-motion basis, may refer discovery related motions to the Magistrate Judge for hearing and determination

---

NOTICE TO COUNSEL

A copy of this notice must be served with the summons and complaint on all defendants (if a removal action is filed, a copy of this notice must be served on all plaintiffs).

Subsequent documents must be filed at the following location:

[X] **Western Division**
312 N. Spring St., Rm. G-8
Los Angeles, CA 90012

[ ] **Southern Division**
411 West Fourth St., Rm. 1-053
Santa Ana, CA 92701-4516

[ ] **Eastern Division**
3470 Twelfth St., Rm. 134
Riverside, CA 92501

Failure to file at the proper location will result in your documents being returned to you.

Peter Roan (137379)
Ronald D. Kurtz (195918)
LOCKE LORD BISSELL & LIDDELL LLP
300 S. Grand Avenue, Suite 2600
Los Angeles, CA 90071
Tel: (213) 485-1500

Simeon J. Osborn (Pro Hac Vice Application Pending)
OSBORN MACHLER
2125 Fifth Avenue
Seattle, WA 98121
Tel: (206) 441-4110

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

ALEXANDER PRESNIAKOV, a single man, PLAINTIFF(S) V. ANN O. HILTON, a/k/a ANN ONION, a/k/a ANN WELBOURNE, and DOES 1 through 10, inclusive, DEFENDANT(S).	CASE NUMBER CV09 08037 MRP VBKx **SUMMONS**

TO:DEFENDANT(S): ANN O. HILTON, a/k/a ANN ONION, a/k/a ANN WELBOURNE, and DOES 1 through 10, inclusive,

A lawsuit has been filed against you.

Within 20 days after service of this summons on you (not counting the day you received it), you must serve on the plaintiff an answer to the attached ☒ complaint ☐ _____ amended complaint ☐ counterclaim ☐ cross-claim or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff's attorney, LOCKE LORD BISSELL & LIDDELL, LLP, whose address is 300 S. Grand Ave, Ste 2600, Los Angeles, CA 90071. If you fail to do so, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Clerk, U.S. District Court

Dated: NOV - 3 2009

By: CHRISTOPHER POWERS
Deputy Clerk

(Seal of the Court)

[Use 60 days if the defendant is the United States or a United States agency, or is an officer or employee of the United States. Allowed 60 days by Rule 12(a)(3)].

American LegalNet, Inc.
www.USCourtForms.com

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

I (a) PLAINTIFFS (Check box if you are representing yourself ☐)
ALEXANDER PRESNIAKOV

DEFENDANTS
ANN O. HILTON, a/k/a ANN ONION, a/k/a ANN WELBOURNE, and DOES 1 through 10, inclusive,

(b) Attorneys (Firm Name, Address and Telephone Number. If you are representing yourself, provide same.)
Peter Roan (137379)
Ronald D. Kurtz (195918)
LOCKE LORD BISSELL & LIDDELL LLP
300 S. Grand Avenue, Suite 2600
Los Angeles, CA 90071

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an X in one box only.)

☐ 1 U.S. Government Plaintiff
☐ 3 Federal Question (U.S. Government Not a Party
☐ 2 U.S. Government Defendant
☒ 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES - For Diversity Cases Only (Place an X in one box for plaintiff and one for defendant.)

	PTF	DEF		PTF	DEF
Citizen of This State	☒ 1	☐ 1	Incorporated or Principal Place of Business in this State	☐ 4	☐ 4
Citizen of Another State	☐ 2	☒ 2	Incorporated and Principal Place of Business in Another State	☐ 5	☐ 5
Citizen or Subject of a Foreign Country	☐ 3	☐ 3	Foreign Nation	☐ 6	☐ 6

IV. ORIGIN (Place an X in one box only.)

☒ 1 Original Proceeding ☐ 2 Removed from State Court ☐ 3 Remanded from Appellate Court ☐ 4 Reinstated or Reopened ☐ 5 Transferred from another district (specify): ☐ 6 Multi-District Litigation ☐ 7 Appeal to District Judge from Magistrate Judge

V. REQUESTED IN COMPLAINT: JURY DEMAND: ☒ Yes ☐ No (Check 'Yes' only if demanded in complaint.)

CLASS ACTION under F.R.C.P. 23: ☐ Yes ☒ No

☒ **MONEY DEMANDED IN COMPLAINT: $** 10,000,000.00

VI. CAUSE OF ACTION (Cite the U. S. Civil Statute under which you are filing and write a brief statement of cause. Do not cite jurisdictional statutes unless diversity.)
Complaint for Damages for Monies Due, Breach of Contract and Negligence.

VII. NATURE OF SUIT (Place an X in one box only.)

OTHER STATUTES
☐ 400 State Reapportionment
☐ 410 Antitrust
☐ 430 Banks and Banking
☐ 450 Commerce/ICC Rates/etc.
☐ 460 Deportation
☐ 470 Racketeer Influenced and Corrupt Organizations
☐ 480 Consumer Credit
☐ 490 Cable/Sat TV
☐ 810 Selective Service
☐ 850 Securities/Commodities/ Exchange
☐ 875 Customer Challenge 12 USC 3410
☐ 890 Other Statutory Actions
☐ 891 Agricultural Act
☐ 892 Economic Stabilization Act
☐ 893 Environmental Matters
☐ 894 Energy Allocation Act
☐ 895 Freedom of Info. Act
☐ 900 Appeal of Fee Determination Under Equal Access to Justice
☐ 950 Constitutionality of State Statutes

CONTRACT
☐ 110 Insurance
☐ 120 Marine
☐ 130 Miller Act
☐ 140 Negotiable Instrument
☐ 150 Recovery of Overpayment & Enforcement of Judgment
☐ 151 Medicare Act
☐ 152 Recovery of Defaulted Student Loan (Excl. Veterans)
☐ 153 Recovery of Overpayment of Veteran's Benefits
☐ 160 Stockholders' Suits
☒ 190 Other Contract
☐ 195 Contract Product Liability
☐ 196 Franchise

REAL PROPERTY
☐ 210 Land Condemnation
☐ 220 Foreclosure
☐ 230 Rent Lease & Ejectment
☐ 240 Torts to Land
☐ 245 Tort Product Liability
☐ 290 All Other Real Property

TORTS PERSONAL INJURY
☐ 310 Airplane
☐ 315 Airplane Product Liability
☐ 320 Assault, Libel & Slander
☐ 330 Fed. Employers' Liability
☐ 340 Marine
☐ 345 Marine Product Liability
☐ 350 Motor Vehicle
☐ 355 Motor Vehicle Product Liability
☐ 360 Other Personal Injury
☐ 362 Personal Injury-Med Malpractice
☐ 365 Personal Injury-Product Liability
☐ 368 Asbestos Personal Injury Product Liability

IMMIGRATION
☐ 462 Naturalization Application
☐ 463 Habeas Corpus-Alien Detainee
☐ 465 Other Immigration Actions

TORTS PERSONAL PROPERTY
☐ 370 Other Fraud
☐ 371 Truth in Lending
☐ 380 Other Personal Property Damage
☐ 385 Property Damage Product Liability

BANKRUPTCY
☐ 22 Appeal 28 USC 158
☐ 423 Withdrawal 28 USC 157

CIVIL RIGHTS
☐ 441 Voting
☐ 442 Employment
☐ 443 Housing/Accommodations
☐ 444 Welfare
☐ 445 American with Disabilities – Employment
☐ 446 American with Disabilities – Other
☐ 440 Other Civil Rights

PRISONER PETITIONS
☐ 510 Motions to Vacate Sentence Habeas Corpus
☐ 530 General
☐ 535 Death Penalty
☐ 540 Mandamus/ Other
☐ 550 Civil Rights
☐ 555 Prison Condition

FORFEITURE / PENALTY
☐ 610 Agriculture
☐ 620 Other Food & Drug
☐ 625 Drug Related Seizure of Property 21 USC 881
☐ 630 Liquor Laws
☐ 640 R.R.& Truck
☐ 650 Airline Regs
☐ 660 Occupational Safety /Health
☐ 690 Other

LABOR
☐ 710 Fair Labor Standards Act
☐ 720 Labor/Mgmt. Relations
☐ 730 Labor/Mgmt. Reporting & Disclosure Act
☐ 740 Railway Labor Act
☐ 790 Other Labor Litigation
☐ 791 Empl. Ret. Inc. Security Act

PROPERTY RIGHTS
☐ 820 Copyrights
☐ 830 Patent
☐ 840 Trademark

SOCIAL SECURITY
☐ 61 HIA(1395ff)
☐ 862 Black Lung (923)
☐ 863 DIWC/DIWW 405(g))
☐ 864 SSID Title XVI
☐ 865 RSI (405(g))

FEDERAL TAX SUITS
☐ 870 Taxes (U.S. Plaintiff or Defendant)
☐ 871 IRS-Third Party 26 USC 7609

FOR OFFICE USE ONLY: Case Number: CV09 08037

AFTER COMPLETING THE FRONT SIDE OF FORM CV-71, COMPLETE THE INFORMATION REQUESTED BELOW.

American LegalNet, Inc.
www.FormsWorkflow.com

UNITED STATES DISTRICT COURT, CENTRAL DISTRICT OF CALIFORNIA
CIVIL COVER SHEET

VIII(a). IDENTICAL CASES: Has this action been previously filed in this court and dismissed, remanded or closed? ☒ No ☐ Yes
If yes, list case number(s):

VIII(b). RELATED CASES: Have any cases been previously filed in this court that are related to the present case? ☒ No ☐ Yes
If yes, list case number(s):

Civil cases are deemed related if a previously filed case and the present case:

(Check all boxes that apply)
☐ A. Arise from the same or closely related transactions, happenings, or events; or
☐ B. Call for determination of the same or substantially related or similar questions of law and fact; or
☐ C. For other reasons would entail substantial duplication of labor if heard by different judges; or
☐ D. Involve the same patent, trademark or copyright, and one of the factors identified above in a, b or c also is present.

IX. VENUE: (When completing the following information, use an additional sheet if necessary.)

(a) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named plaintiff resides.
☐ Check here if the government, its agencies or employees is a named plaintiff. If this box is checked, go to item (b).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Ventura	

(b) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** named defendant resides.
☐ Check here if the government, its agencies or employees is a named defendant. If this box is checked, go to item (c).

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
	Nevada

(c) List the County in this District; California County outside of this District; State if other than California; or Foreign Country, in which **EACH** claim arose.
Note: In land condemnation cases, use the location of the tract of land involved.

County in this District:*	California County outside of this District; State, if other than California; or Foreign Country
Ventura	

* **Los Angeles, Orange, San Bernardino, Riverside, Ventura, Santa Barbara, or San Luis Obispo Counties**
Note: In land condemnation cases, use the location of the tract of land involved

X. SIGNATURE OF ATTORNEY (OR PRO PER): [signature] **Date** November 3, 2009
Peter Roan

Notice to Counsel/Parties: The CV-71 (JS-44) Civil Cover Sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law. This form, approved by the Judicial Conference of the United States in September 1974, is required pursuant to Local Rule 3-1 is not filed but is used by the Clerk of the Court for the purpose of statistics, venue and initiating the civil docket sheet. (For more detailed instructions, see separate instructions sheet.)

Key to Statistical codes relating to Social Security Cases:

Nature of Suit Code	Abbreviation	Substantive Statement of Cause of Action
861	HIA	All claims for health insurance benefits (Medicare) under Title 18, Part A, of the Social Security Act, as amended. Also, include claims by hospitals, skilled nursing facilities, etc., for certification as providers of services under the program. (42 U.S.C. 1935FF(b))
862	BL	All claims for "Black Lung" benefits under Title 4, Part B, of the Federal Coal Mine Health and Safety Act of 1969. (30 U.S.C. 923)
863	DIWC	All claims filed by insured workers for disability insurance benefits under Title 2 of the Social Security Act, as amended; plus all claims filed for child's insurance benefits based on disability. (42 U.S.C. 405(g))
863	DIWW	All claims filed for widows or widowers insurance benefits based on disability under Title 2 of the Social Security Act, as amended. (42 U.S.C. 405(g))
864	SSID	All claims for supplemental security income payments based upon disability filed under Title 16 of the Social Security Act, as amended.
865	RSI	All claims for retirement (old age) and survivors benefits under Title 2 of the Social Security Act, as amended. (42 U.S.C. (g))

American LegalNet, Inc.
www.FormsWorkflow.com